IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE NINETEENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION No. 29708 of 1997

Between:

Gajula Ramakrishna, S/o. Raghunadha Rao rep. by his GAP holder Raghunadha Rao R/o. MIG-12, SFS, Potini Malai Palem,

Visakhapatnam.

..... PETITIONER

AND

1 AP Housing Board, rep. by its Vice Chairman,
Gruhakalpa, Hyderabad.
2 The Executive Engineer and Competent Authority,
AP Housing Board, Isukathota, Visakhapatnam.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly in the nature of Writ of Mandamus declaring the notice issued by the second respondent dt. 20.10.97 demanding the petitioner to vacate his own premises MIG-12 SFS within 30 days as illegal, arbitrary, capricious, malafide, ultravires, without jurisdiction and against the principles of natural justice an consequently direct the respondents not to evict the petitioner from his premises MIG-12 SFS of Housing Board Colony, Potini Mallai Palem of Visakhapatnam.

Counsel for the Petitioner : Mr.K.SARVA BHOUMA RAO

Counsel for Respondents : Mr.D.RANGANATHA KUMAR

The Court made the following :

ORDER:

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Questioning the impugned notice issued by the second respondent dt. 20.10.97 demanding the petitioner to vacate the premises MIG-12 SFS, the present writ petition is filed.

It is represented by the learned Standing Counsel for A.P. Housing Board that the petitioner had already vacated the premises in question and the said premises was sold in public auction on 8.6.2000 to the highest bidder and therefore nothing survives in this writ petition and it has become infructuous. To the said effect the learned Standing Counsel also placed before this Court the letter addressed by the Executive Engineer (Hg), A.P. Housing Board, Visakhapatnam in Proceedings No.E1/SFS.MIG-12/PMP/99 dated .12.2002.

The writ petition is therefore, dismissed as having become infructuous. No costs.

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N.V.RAMANA, J

Date: 19.4.2005

DA/SVV

To

1 The Vice Chairman, AP Housing Board, Gruhakalpa, Hyderabad.
2 The Executive Engineer and Competent Authority,
AP Housing Board, Isukathota, Visakhapatnam.

3 Two CD copies.

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